

Appeal Decision

Site visit made on 5 September 2016

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 September 2016

Appeal Ref: APP/Q1255/W/16/3147387
5 Kings Crescent, Poole, Dorset BH14 9PR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jane Parker against the decision of Poole Council.
 - The application Ref APP/16/00073/F, dated 18 January 2016, was refused by notice dated 16 March 2016.
 - The development proposed is demolition of existing and erect pair of semi-detached dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The site has planning history, with two earlier appeals having been dismissed. I have read those decisions (which are a material consideration) but I have nevertheless determined this appeal on its own merits, as I am required to do.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site lies within an established residential neighbourhood which is characterised by large detached dwellings set in generous plots. The locality is distinctive for the substantial number of mature trees which make a significant positive contribution to the quality of the local environment. Many of the trees are located within rear gardens and are visible from the street in the spaces between dwellings. The trees are protected by a Tree Preservation Order and this is indicative of their importance to amenity.
5. The previous Inspector¹ was concerned that the proposal before him would appear as two semi-detached dwellings and that as a consequence the small size of the plots, in comparison with others nearby, would be apparent. The appellant has sought to address this criticism by redesigning the scheme to remove the symmetry on the front elevation and replace the separate driveways with a single shared arrangement.

¹ Appeal Ref: APP/Q1255/W/15/3136903

6. In my opinion, the fact that the development would contain two dwellings is not, in itself, materially harmful. Adjoining properties on either side are sub-divided into flats but nonetheless retain the appearance of individual large family houses. The appeal scheme would be no different in this respect and casual passers-by would not necessarily realise that this was a pair of semi-detached properties. The rear gardens would be smaller than the norm in the area, but these would not be publicly visible and I am not persuaded that this is sufficient reason alone to dismiss the appeal.
7. The Council raises no objection to the scale or mass of the proposed building and I agree that the development would sit comfortably with adjacent properties in views along the street. However, the scheme would have the effect of closing the gap at first floor level between numbers 3 and 5 Kings Crescent. This gap is important in providing views of the protected trees at the rear of the site.
8. The appellant contends that the impact would be offset by the 'visual gain' arising from the removal of the existing garage. However, due to its modest height this structure does not intrude significantly into views of the tree canopies and greenery behind. In my judgement, the additional height and bulk of the proposed building would reduce the quality of the vista between buildings, to the detriment of the character and appearance of the area.
9. Relevant policy is contained in Policies PCS 5 and PCS 23 of the Poole Core Strategy (2009) (PCS) and Policy DM 1 of the Poole Site Specific Allocations and Development Management Policies (2012) (DMP). Jointly, these policies seek to ensure that new development respects the character of the area and those attributes which make it distinctive. In failing to pay due regard to the need to maintain important views of protected trees the proposal would erode the character and appearance of the area and conflict with the aforementioned development plan policies.

Other Matters

10. I have given careful consideration to the concerns raised by local residents regarding the effect of the proposal on their living conditions. The separation distances between buildings would be sufficient to ensure that there is no overbearing impact or material loss of privacy for the occupiers of numbers 24 and 26 Clifton Road, or number 3 Kings Crescent.
11. As regards numbers 7 and 9 Kings Crescent, the former has a patio adjacent to the site boundary and the latter has a ground floor window looking onto this area. The proposed development would have greater mass compared to the existing chalet bungalow. However, the effect of the additional scale would be mitigated by existing trees and vegetation and also the fact that the building would be set back from the boundary. For these reasons I do not consider that the scheme would lead to any significant reduction in the enjoyment of the patio or loss of outlook from the affected window.
12. The new building would be no closer to the boundary than the existing bungalow and on this basis I am content that the development could take place without detriment to the root systems of tree T6. Furthermore, no significant pruning would be required. This leads me to conclude that there would be no threat to the future health of the tree or the amenity value which it affords.

13. The Council refers to the need for a financial contribution towards Strategic Access Management and Monitoring to avoid or mitigate the adverse effect on the integrity of the Dorset Heaths International designations. Having regard to the Dorset Heathlands Planning Framework 2015-2020 Supplementary Planning Document, I am satisfied that a contribution is necessary to secure compliance with the requirements of Policy PCS 28 of the PCS and Policy DM 9 of the DMP. The appellant has indicated a willingness to make such a contribution but no planning obligation is before me. However, as I am dismissing the appeal for other reasons, the decision does not turn on this matter.

Conclusion

14. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR